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SIPDIS

FOR EUR/NCE AND OES/ETC

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SUBJECT: INFORMATION ON RULES AND PROCEDURES GOVERNING
ACCESS AND BENEFIT SHARING IN THE CZECH REPUBLIC

REF: STATE 269625

1. Summary: Researchers collecting specimens in the Czech Republic should be especially careful about activities in nature reserves and collection of protected endangered species. Legislative authority and agencies responsible for administration of permits are outlined para 2. End Summary.

2. Answers to questions posed para 18 of reftel:

A. Legislation and regulation of research and collection of biological resources

As an EU member country since May 1, 2004, the Czech Republic has had to implement all EU regulations and laws, including those protecting endangered species, if any.

Researchers collecting genetic resources must respect the Law on Nature and Countryside Protection no. 114/1992 and its Regulation no. 395/1992, which sets up and regulates protected natural areas. This law is administered by the Agency for Natural Conservation and Landscape Protection of the Czech Republic (www.nature.cz) and information about conducting of research or gathering of specimens inside protected areas is available from that office. Depending on the subject of the research, either the State Veterinary Administration (www.svscr.cz) or the State Phytosanitary Administration (www.srs.cz) may also issue permits for collection of specimens.

Collection of specimens of CITES-protected species is subject to Law 16/1997 and Ministry of Environment decree 82/1997. The contact point for permits in the Ministry of Environment is RNDr. Jan Kucera, telephone: (420) 267 122 480.

The Czech National Program on Plant Genetic Resources Conservation and Utilization was adopted by the Ministry of Agriculture in 1993 with the assistance of 11 research institutes and universities, and focuses on agricultural resources. The Convention on Biodiversity (CBD) has been implemented in the Czech legal system in Act No. 134/1999, passed in 1999. Act No. 148/2003 on Conservation and Utilization of Genetic Resources of Plants and Micro-organisms Important for Food and Agriculture (and implementing regulations 458/2003) reflect CBD principles and related commitments of the Czech Republic and strengthen protections for biodiversity. Based on CBD and the related Czech legislation, an updated National Program on Conservation and Utilization of Genetic Resources of Plants and Micro-organisms Important for Agriculture was adopted in January 2004, with access to plant genetic resources and benefits sharing (ABS) its important feature. A gene bank has been operating at the Research Institute of Crop Production in Prague since 1988, holding up to 100,000 accessions. The Czech Republic has ratified the International Treaty on Plant Genetic Resources (IT/PGRFA) and implemented its principles.

Entry visas for the purpose of performing scientific research, where required, are issued by Czech embassies abroad based on an agreement/contract between the researcher and a sponsoring research institution in the Czech Republic.

B. Movement of biological specimens

The State Veterinary Administration and the State Phytosanitary Administration are also the authorities issuing import and export permits, including those for non-CITES biological specimens. As for CITES specimens, the Ministry of the Environment is in charge. The same rules apply whether the research is for scientific, commercial or agricultural purposes.

C, D. Relevant Laws for Negotiating Terms of Access and Use/Status of Mutually Agreed Terms (MAT) and Prior Informed Consent (PIC)

Currently, there is no special regulation regarding MAT and PIC in the Czech Republic. Research permits are a matter of bilateral agreement between research institutions under the umbrella of bilateral government agreements on cultural, scientific cooperation. The coordinator of the National

Program on Conservation and Utilization of Genetic Resources of Plants and Microorganisms Important for Agriculture is the Research Institute of Crop Production (www.vurv.cz), and the contact for animal research is the Research Institute of Animal Production (www.vuzv.cz).

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